

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Linda Ream v Burke Asphalt Paving**

Docket No. **260795**

L.C. No. **99-091090-NI**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because the January 26, 2005 order is a postjudgment order that is not appealable as a matter of right as it does not satisfy any of the definitions for final order found in MCR 7.202(6)(a). The circuit court has no authority to designate an order as final that does not satisfy MCR 7.202(6)(a). As a result, appellants may challenge the order in question by filing a delayed application for leave to appeal under MCR 7.205.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

MAR - 4 2005

Date

Sandra Schultz Mengel
Chief Clerk